IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

-

WRIT PETITION NO : 8034 of 1995

Between:

Vangapalli Jogulu, S/o.Appadu,Aged 60 years,

cultivation,R/o. Kupili Village, Etcherla Mandal,

Srikakulam District. **..... PETITIONER**

AND

1.The Government of A.P., rep. by the

District Collector, Srikakulam District,

Srikakulam.

2.The Revenue Divisional Officer/Land Acquisition Officer,

Srikakulam.

3.Kuppili Apparao Patro, S/o.Raghava Rao Patro,

aged 55 years, R/o.Kupili village, Etcharla Mandal,

Srikakulam District. **.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus, directing the respondents 1 and 2 not to pass any award under Section 11 of the Land Acquisition Act consequent to the notification issued under Section 6 of the Land Acquisition Act, dt.4-4-94 in respect of the Ac.4-26 cents of Dry land in Survey No.391/2 of Kuppili village of Etcherla Mandal in Srikakulam District, without issuing any notice and giving any opportunity to the petitioner to participate in any enquiry that may be held under Section 11 of the Act, and declare that any enquiry that may be conducted behind his back is highly arbitrary,

contrary to law and opposed to the principles of naturel justice, especially when the prior enquiry under Section 6 was done after giving a notice to the petitioner in the ends of justice.

Counsel for the Petitioner: MR.D.RAMALINGA SWAMY

Counsel for the Respondent Nos.1 & 2: GP FOR REVENUE

Counsel for the Respondent No.3: None appeared.

The Court made the following :

ORDER:

Nobody appears for the petitioner. However, the learned Counsel for the respondents has drawn my attention to the fact that the petitioner had filed the writ petition apprehending that he would not be paid compensation for the land that was being acquired from him and prayed that the respondents be directed not to pass any award under Section 11 of the Land Acquisition Act consequent upon the notification issued under the Land Acquisition Act and that the petitioner should be given a chance to participate in the enquiry before the award is passed.

In the counter-affidavit, it is stated that after enquiry the award was passed and in fact compensation was granted to the petitioner himself for the land in question.

In this view of the matter, this writ petition has become infructuous. Hence, the Writ Petition is dismissed. No costs.

2nd September, 2004

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Copy to:

1.The District Collector,

Government of A.P.,

Srikakulam District, Srikakulam.

2.The Revenue Divisional Officer/Land Acquisition Officer,

Srikakulam.

3.Two CCs to the G.P. for Revenue,

High Court Buildings, High Court of A.P.,

Hyderabad (O.U.T.)

4. Two CD copies.